

1 BILL NO. S-80-09- 25

2 SPECIAL ORDINANCE NO. S- 123-80

3

4 AN ORDINANCE approving a contract for  
5 Sanitary Sewer Document No. 80-010229,  
6 between the City of Fort Wayne, Indiana,  
and M & G Properties.

7

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
9 WAYNE, INDIANA:

10 SECTION 1. That a certain contract dated August 27,  
11 1980, between the City of Fort Wayne, Indiana, by and through  
12 its Mayor and the Board of Public Works and M & G Properties,  
13 Contractor, for:

14 Supplemental Sewer Extension - Keller  
15 Road Sanitary Sewer  
16 under Board of Public Works Sanitary Sewer Document No. 80-  
17 010229, at a total cost of approximately \$61,158.80 as more  
18 particularly set forth in said contract which is on file in  
19 the Office of the Board of Public Works and is by reference  
20 incorporated herein and made a part hereof, be and the same  
21 is in all things hereby ratified, confirmed and approved.

22 SECTION 2. That this Ordinance shall be in full force  
23 and effect from and after its passage and approval by the  
24 Mayor.

  
John E. Hoffman  
COUNCILMAN

25 APPROVED AS TO FORM AND  
26 LEGALITY SEPTEMBER 19, 1980.

27   
28 JOHN E. HOFFMAN  
29 City Attorney  
30  
31  
32

Read the first time in full and on motion by Burns,  
seconded by Eisbart, and duly adopted, read the second time  
by title and referred to the Committee City Planning (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock M., E.S.T.

DATE: 9-23-80

Charles W. Westerman  
CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by Burns,  
seconded by Dier, and duly adopted, placed on its  
passage. PASSED (9-23-80) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>			
<u>BURNS</u>	<u>X</u>				
<u>EISBART</u>	<u>X</u>				
<u>GiaQUINTA</u>	<u>X</u>				
<u>NUCKOLS</u>	<u>X</u>				
<u>SCHMIDT, D.</u>	<u>X</u>				
<u>SCHMIDT, V.</u>	<u>X</u>				
<u>SCHOMBURG</u>	<u>X</u>				
<u>STIER</u>	<u>X</u>				
<u>TALARICO</u>	<u>X</u>				

DATE: 10-14-80

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)  
(APPROPRIATION) ORDINANCE (RESOLUTION) No. 8-123-80  
on the 14th day of October, 1980.

ATTEST:

(SEAL)

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Vivian G. Schmidt  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 14th day of October, 1980, at the hour of  
11:00 o'clock A M., E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 10th day of October,  
1980, at the hour of 9 o'clock A M., E.S.T.

Winfield C. Moses, Jr.  
WINFIELD C. MOSES, JR.  
MAYOR

BILL NO. S-80-09-25

REPORT OF THE COMMITTEE ON CITY UTILITIES

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS REFERRED AN  
ORDINANCE approving a contract for Sanitary Sewer Document No.  
80-010229 between the City of Fort Wayne, Indiana, and M&G  
Properties

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE do PASS.

PAUL M. BURNS, CHAIRMAN

BEN EISBART, VICE CHAIRMAN

JOHN NUCKOLS

MARK GIAQUINTA

ROY SCHOMBURG

10-14-80  
DATE CONCURRED IN  
CHARLES W. WESTERMAN, CITY CLERK

# Memorandum

To BOARD OF PUBLIC WORKS

Date AUGUST 22, 1980

From PHILIP R. BOLLER, P.E.

Subject SUPPLEMENTAL AGREEMENT FOR SEWER EXTENSION: KELLER RD. SAN. SEWER

COPIES TO:

Attached for your and councilmanic approval is subject sewer extension agreement, which will involve a City expenditure of approximately \$61,158.80, for which the Airport Authority will contribute \$50,000.00. This agreement is an extension of the Baer Field West, for which the contractor, Land Excavating, Inc., will be approaching completion within the next three weeks. Therefore this is to request that councilmanic approval be obtained as soon as possible.

*Phil Boller*

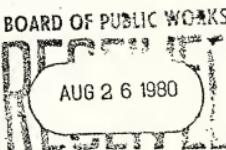
Philip R. Boller

PRB/BS/ds

Att.

*Sandra,* *8/22/80*  
*You should attach a copy of*  
*Jim Ross's letter to each of these*  
*agreements before sending it to council.*

*Phil*



TELEPHONE  
747-9715  
AREA CODE 219



FILE: Baer 1  
West  
ROOM 209  
BAER FIELD TERMINAL  
FORT WAYNE, INDIANA 46809

August 12, 1980

NOTED

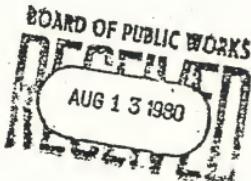
M.L.A.

R.A.S.

H.R.G.

✓ J.M.R.

Mr. Mark Akers, Chairman  
Board of Public Works  
City County Building  
Number One Main Street  
Fort Wayne, Indiana 46802



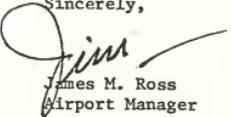
Dear Mark:

This note is to inquire, particularly as to timing, the status of the 1600 feet of sanitary sewer contemplated to serve the west side of Baer Field. This extension is that which the Board of Aviation Commissioners has agreed to contribute \$50,000.00.

The need for this sewer extension may come earlier than expected because of the possible start of 2 new aircraft hangars in that area within the next 60 to 90 days.

Thanks for all the past courtesies and please advise.

Sincerely,

  
James M. Ross  
Airport Manager

AUG 19 1980

JMR/bl

cc: Board members

CITY OF FORT WAYNE

TELEPHONE  
747-9715  
AREA CODE 219



ROOM 209  
BAER FIELD TERMINAL  
FORT WAYNE, INDIANA 46809

August 12, 1980

NOTED

M.L.A.

R.A.S.

H.R.G.



Mr. Mark Akers, Chairman  
Board of Public Works  
City County Building  
Number One Main Street  
Fort Wayne, Indiana 46802

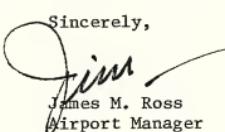
Dear Mark:

This note is to inquire, particularly as to timing, the status of the 1600 feet of sanitary sewer contemplated to serve the west side of Baer Field. This extension is that which the Board of Aviation Commissioners has agreed to contribute \$50,000.00.

The need for this sewer extension may come earlier than expected because of the possible start of 2 new aircraft hangars in that area within the next 60 to 90 days.

Thanks for all the past courtesies and please advise.

Sincerely,

  
James M. Ross  
Airport Manager

JMR/b1

cc: Board members

69-148-19 H.I.

S U P P L E M E N T A L

8/27/80

A G R E E M E N T

F O R

S E W E R E X T E N S I O N

THIS SUPPLEMENTAL AGREEMENT, made in triplicate this 27 day of August, 1980, by and between M & G Properties, a general partnership, consisting of Harley Graham and Tom Martin, hereinafter referred to as "DEVELOPER," and the CITY OF FORT WAYNE, INDIANA, an Indiana Municipal Corporation, hereinafter referred to as "CITY,"

WITNESSETH:

WHEREAS, DEVELOPER and CITY did enter into a Sewer Extension Agreement on April 2, 1980, as recorded by Document #80-010229, and

WHEREAS, the City of Fort Wayne Airport Authority has expressed a desire to construct an extension to the sanitary sewer being constructed by this document which is described as follows:

Beginning at a proposed manhole located 40+ LF South of and 15+ LF West of the intersection of Keller Road and West Perimeter Road, thence, Southerly 1600+ LF along a line parallel with Keller Road.

Said sewer extension shall be 12" in diameter in accordance with plans, specifications and profiles heretofore submitted to the CITY and now on file in the office of the Chief Engineer of the Water Pollution Control Utilities of the CITY and known as the Keller Road Sanitary Sewer Extension which plans, specifications, profiles are by reference incorporated herein and made a part hereof, and

WHEREAS, DEVELOPER will have installed the sewer extension for the same unit prices where were bid November 26, 1979, for the sewer extension agreement, more specifically:

1600+	12" ABS Pipe	@	\$	28.35	=	\$ 45,360.00
2000+ tons	Bank Run gravel	@	\$	2.75	=	\$ 5,500.00
4+ each	48" Precast Manhole complete with casting	@	\$	1,500.00	=	\$ 6,000.00
400+ tons	#73 crushed stone	@	\$	4.70	=	\$ 1,880.00
L.S.	Grading & Seeding	@				= \$ 2,418.80

WHEREAS, the cost of construction for the City of Fort Wayne's Board of Aviation represented to be \$50,000.00 and these monies have been submitted to the City.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. CONSTRUCTION OF SEWER EXTENSION:

The DEVELOPER shall cause said sewer extension to be constructed and located in accordance with said plans, specifications, and profiles, all approved by the CITY.

2. COST OF CONSTRUCTION:

It is agreed that DEVELOPER will pay its contractor the total cost of construction for said sewer extension. City will reimburse DEVELOPER for the total cost of construction of this sewer extension in accordance with the provisions made within the above referenced Sewer Extension Agreement #80-010229.

3. SEWER EXTENSION AGREEMENT:

All conditions of the above referenced Sewer Extension Agreement #80-010229 shall remain in full force.

IN WITNESS WHEREOF, the parties have subscribed to this Agreement the day  
and year first above written.

DEVELOPER: M & G PROPERTIES

BY: Tom Martin  
Tom Martin, Partner

BY: Harley Graham  
Harley Graham, Partner

STATE OF INDIANA )  
 ) SS  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personall appeared Tom Martin and Harley Graham as the co-partners of M & G Properties, who acknowledge the execution of the foregoing agreement for sewer extension, as and for its voluntary act and deed for the uses and purposes therein contained.

Witness my hand and notarial seal this 21st day of August, 1980.

Gayle Hostmann Logue Notary Public  
Resident of Allen County

My Commission Expires:

February 26, 1983

CITY OF FORT WAYNE, INDIANA

BY: Win Moses Jr. P  
Win Moses, Jr., Mayor

BOARD OF PUBLIC WORKS

BY: Mark L. Akers, Chairman

BY: Robert Anderson Staten  
Robertta Anderson Staten, Member

BY: G. Gamache  
Herbert R. Gamache, Member

**ATTEST:**

Sandra E Kennedy  
Sandra E. Kennedy, Clerk

APPROVED AS TO FORM AND LEGALITY:

  
Associate City Attorney

STATE OF INDIANA      )  
                            ) SS  
COUNTY OF ALLEN      )

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Win Moses, Jr., Mark L. Akers, Roberta Anderson Staten and Herbert R. Gamache, known to me to be the Mayor and the members of the Board of Public Works, respectively, all of the City of Fort Wayne, Indiana, who acknowledged the execution of the foregoing agreement for sewer extension, as and for his voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_, 1980.

---

Anne J. Fox, Notary Public  
Resident of Allen County

My Commission Expires:

March 6, 1984

This instrument prepared by:

Philip R. Boller, P.E.  
Chief Water Pollution Control Engineer

4975

TITLE OF ORDINANCE SUPPLEMENTAL AGREEMENT FOR SEWER EXTENSION: KELLER RD, SAN, SEWER

DEPARTMENT REQUESTING ORDINANCE

BOARD OF PUBLIC WORKS

A-80-09-25

SYNOPSIS OF ORDINANCE SUPPLEMENTAL AGREEMENT FOR SEWER EXTENSION: KELLER RD, SAN, SEWER

will involve a City expenditure of approx. \$61158.80, for which the

Airport Authority will contribute \$50,000.00. This agreement is an extension of the  
Baer Field West.

EFFECT OF PASSAGE The need for this sewer extension is because of the possible start of  
(2) new aircraft hangers in that area.

EFFECT OF NON-PASSAGE Necessary extension as described as above cannot be completed.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) The money involved for the City will  
be approximately \$61,158.80, for which the Airport Authority will contribute \$50,000.00

ASSIGNED TO COMMITTEE

*City Utilities*